101st Congress, 1st Session - - - - - - - - - - House Document 101-93

# COOPERATIVE MEASURES ON DRIFTNET FISHING

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## COMMUNICATION

FROM

# THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

CERTIFICATION BY THE SECRETARY OF COMMERCE THAT THE REPUBLIC OF KOREA AND TAIWAN HAVE FAILED TO ENTER INTO COOPERATIVE SCIENTIFIC MONITORING AND ENFORCEMENT AGREEMENTS CALLED FOR BY THE DRIFTNET IMPACT MONITORING, ASSESSMENT AND CONTROL ACT OF 1987, PURSUANT TO 22 U.S.C. 1978(b)

SEPTEMBER 7, 1989.—Referred to the Committee on Merchant Marine and Fisheries and ordered to be printed

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U.S. GOVERNMENT PRINTING OFFICE

29-011 WASHINGTON : 1989

A560-6.

THE WHITE HOUSE,
*Washington, August 28, 1989.*

Hon. THOMAS S. FOLEY,
*Speaker of the House of Representatives,*
*Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the provisions of subsection (b) of the Pelly Amendment to the Fishermen's Protective Act of 1967, as amended (22 U.S.C. 1978(b)), I am reporting to you following certification by the Secretary of Commerce that the Republic of Korea and Taiwan failed to enter into cooperative scientific monitoring and enforcement agreements called for by the Driftnet Impact Monitoring, Assessment and Control Act of 1987. The Secretary's letter to me is deemed to be a certification for the purposes of section 8(a) of the Fishermen's Protective Act of 1967. These Acts authorize me to order the prohibition of imports into the United States of fish products from Korea and Taiwan.

The United States has concluded a monitoring and enforcement agreement with Taiwan that meets the requirements of the Driftnet Act. An agreement has not been concluded with Korea.

It is extremely important to the international community that Korea agrees to meet the standards of customary international law to cooperate with other nations and to take necessary measures to conserve high seas resources affected by driftnets. Accordingly, I am deferring action under the Pelly Amendment for a period of 30 days and am instructing the Secretary of State, in cooperation with the Secretary of Commerce, to continue intensive bilateral negotiations with Korea. They should also use this period to continue efforts to engage the international community in urging the adoption of cooperative measures on driftnet fishing.

At the end of this new 30-day period, I expect to receive any additional recommendations as may be warranted. If significant movement has not been made toward reaching and implementing a monitoring and enforcement agreement with the United States, I will be prepared to exercise my substantial authorities under the Pelly Amendment to the Fishermen's Protective Act. I will send to the Congress a supplemental report at that time.

Sincerely,

GEORGE BUSH.

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